

**Infrastructure Committee  
Town of Independence  
February 20, 2024  
Draft Minutes**

Committee Members in Attendance: Jason Cassell, Chairman, Jim Meier, Buddy Halsey, Terry Osborne

Adhoc Attendees: Ronald Sexton, Laura Ratcliffe

Chairman Cassell convened the meeting at 6pm. It was determined all members were present. The agenda focused on reviewing various sections of Town Code for updates. The group decided to begin with Chapter 51. Water.

The group reviewed sections 51.01 through 51.14 F. Following are the recommendations for change to the code. Additions are in BOLD/Deletions are in (*italics*). In some situations, the committee requests Attorney Brooks to recommend language as indicated below.

51.01 Connection Required.

All residents **and businesses** of the town shall be required to be connected to a public water system approved and licensed by the State Department of Health, **unless the owner meets the requirements listed in 51.03.**

51.02 Application for Connection; Construction of Service Pipe

No Changes recommended

51.03 Use of Private Water Systems

\*Committee requested information on customers on Morton Drive and Oak Ridge that are not on town water and the agreement that was in place when those areas were annexed. They asked for Attorney Brooks to provide feedback on updated language as they would like to require when the house transfers ownership, the new owners would be required to hook to and use Town water as their primary water source.

Further research has shown there is 1 house on Morton Drive that has not connected and 3 homes on Oak Ridge that have not connected. Additionally, there is one home on Oak Ridge that has water but only uses for yard hydrant. I have been unable to locate a written agreement with the homeowners regarding the exception.

51.04 Size of Connections

No Changes recommended

51.05 Wrongful Connection

No Changes recommended

#### 51.06 Right of Inspection

Every person occupying any property into which water is conveyed under this chapter shall permit any authorized agent of the town to enter such property, at reasonable hours, to inspect works therein or to see if provisions of this subchapter have been violated. **It is the obligation of the property owner to provide free and clear access to the meter.**

#### 51.07 Unauthorized Persons Turning on and Off Water

No Changes Recommended

#### 51.08 Tampering with Waterworks

No Changes Recommended

#### 51.09 Steam Boilers

No Changes Recommended

#### 51.10 Disconnection for Late Payment

A) 2 – That if any bill is not paid by or before that date, a second bill will be mailed containing a cutoff notice that if the bill is not paid within ten days of the ~~mailing~~-**billing**....

#### 51.11 Damages to Property Due to Water Pressure

No Changes recommended

#### 51.12 Water Rates

Language changed and approved at the January 2024 Town Council Meeting

#### 51.13 Maintenance of **Private** Pipe Lines; Inspection and Approval

\*Committee requests Attorney Brooks to recommend simplified language for this section. Their goal is to require third party developers to turn over lines to the town for ownership and maintenance.

#### 51.14 Guidelines for Service

Unless otherwise specified, it shall be assumed these guidelines apply to three quarter inch or smaller connections. Any connections over three quarter inch will require ~~negotiations with~~ **approval by** the Council

Sections A, C, D, E – no recommended changes

B) If a property changes ownership at a time when there is a delinquent account against the original owner, the proper legal procedures are to be taken to collect the amount due.

\*Need guidance from Attorney Brooks on what are the proper legal procedures. The committee recommends language in the code that a lien should be placed on all properties associated with an account with amounts due more than 90 days.

F) If the service is available to a unit serviced by the town system, the customer will be required to pay the monthly **minimum** fee. The only exceptions to this rule are:

In the case of illness lasting 30 days or more in which case the customer would be in a hospital, rest home, nursing home or other such facility and the unit to which the service is provided would be unoccupied for the entire period. In such case, the meter bill will still be read at the regular time and the customer will be billed if the meter shows any usage.

**In case of customer death or property vacancy, if the property owner or estate does not want services at the unit, they may request the services be disconnected and the meter removed. In such cases, the property owner/estate will be required to pay a fee set by Council from time to time to help offset the overhead costs of maintaining the Town's water system.**

Note: Committee recommendation is for this fee to be \$15 per month.

The committee also asked that Attorney Brooks draft proposed language for large bulk water purchases.

There being no other business, the meeting was adjourned by Chairman Cassell at 7:30pm

Respectfully submitted

Laura Ratcliffe, Town Manager